

February 7, 2002

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
Room TW-B204
445 12th Street, S.W.
Washington, D.C. 20554

Re: Common Carrier Docket Nos. 96-262 and 94-1

Dear Ms. Salas:

The purpose of this letter is specifically to request confidential treatment of the "Proprietary Version" of Reply Comments filed by the National Association of State Utility Consumer Advocates (NASUCA) in the above-referenced proceeding. On January 24, 2002, in a transmittal letter, NASUCA stated that it was enclosing an original and four (4) copies of a proprietary version and an original and four (4) copies of public version of its filing. NASUCA noted that it stamped the proprietary version on the top page. The difference between the two versions of the Reply Comments is that the proprietary version contains Appendix B, which itself contains Confidential Line Count Information protected by an existing Protective Order of the FCC. NASUCA also noted in its cover letter that it was filing a set of CD-ROMs with the Reply Comments and that all information on the CD-ROMs is considered confidential. NASUCA also filed a separate transmittal letter with the CD-ROMs which stated that each disc contains alleged confidential and proprietary information and, therefore, has been labeled proprietary.

With this letter, we request specifically that the proprietary version of NASUCA's Reply Comments which contains Appendix B be given confidential treatment by the FCC. This filing contains confidential line count information protected by two existing Orders of the Common Carrier Bureau in these dockets. The Bureau issued an Interim Protective Order on April 7, 2000 which provides that certain Confidential Line Count

Information is protected and provides for disclosure and use only under specific circumstances. NASUCA requested and received a limited modification of that Order in an Order issued by the Common Carrier Bureau on December 6, 2001. That Order permitted NASUCA to obtain and use the Confidential Line Count Information in producing loop cost studies in evaluating data and cost studies submitted by other parties in this proceeding, which relates to the establishment of a rate for the Subscriber Line Charge. The Order permitting NASUCA access to and use of confidential line count information also requires NASUCA abide by the existing Order protecting that information of April 7, 2000. That Order requires NASUCA to follow the procedures in it relating to requesting confidential treatment of the filing and physically separating the Pleading containing the Confidential Line Count Information from material that is not confidential. NASUCA did this by filing a proprietary version of its Reply Comments which contains Appendix B and a nonproprietary version which does not contain Appendix B.

The Common Carrier Bureau Order of December 6, 2001 requires parties wishing to access the Confidential Line Count Information to file a declaration specific to the cost review proceeding for residential and single line business subscriber line charges in Docket No. 96-262. NASUCA will make available Appendix B to those parties in this proceeding that file such a declaration and provide a copy to NASUCA.

The material in Appendix B has been filed, to date, only in this proceeding involving the cost review for residential and single line business subscriber line charges. As noted above, the material is confidential because it is already protected by the Interim Protective Order entered by the Common Carrier Bureau on April 7, 2000.

NASUCA has filed with USAC and with the FCC declarations specific to this cost review proceeding and has not disclosed the information in Appendix B to any other NASUCA related person who has not signed such a declaration.

For reasons stated, NASUCA requests that the Commission treat this information as confidential under its usual process.

Ms. Magalie Roman Salas
Page 3
February 7, 2002

NASUCA also requests that you file this letter in the SLC cost review proceeding docket and post it on the Electronic Comment Filing System. Additionally, NASUCA requests that you post its two original transmittal letters of January 24, 2002, copies enclosed, as well. Should you have any questions, please do not hesitate to call me.

Sincerely,

Michael J. Travieso
Maryland People's Counsel
Chair, NASUCA Telecommunications
Committee as counsel for NASUCA

Maryland Office of People's Counsel
6 St. Paul Street, Suite 2102
Baltimore, Maryland 21202

(410) 767-8150

cc: Chief, Competitive Division
Qualex International